

**SENATE JOURNAL
65TH LEGISLATURE
SIXTY-NINTH LEGISLATIVE DAY**

Helena, Montana
April 3, 2017

Senate Chambers
State Capitol

Senate convened at 9:00 p.m. President Sales presiding. Invocation by Senator Kary. Pledge of Allegiance to the Flag.

Roll Call. Forty-six members present. Senators Fielder, Gross, Swandal and Welborn excused. Quorum present.

BILLS AND JOURNALS (Keenan, Chair):

4/3/2017

Transmitted to the House: **HB 97, HB 140, HB 324, HB 333, HB 334, HB 348, HB 360, HB 402, HB 426, HB 427, HB 456, HB 469, HB 476, HB 482, HB 492, HB 495, HB 507, HB 510, HB 516, HB 533, HB 537.**

Senator Blasdel introduced the **Pages** for the coming week:
Hannah Johnson from Clancy, sponsored by Senator McClafferty
Lydia French from Plains, sponsored by Representative Brown
Myles Steinmetz from Havre, sponsored by Representative Bauchmeier

FIRST READING AND COMMITMENT OF BILLS

The following House bills, previously introduced, were referred to committees:

HB 133, introduced by N. McConnell (by request of the Commission on Sentencing), referred to Judiciary.

HB 576, introduced by J. Hamilton, referred to Legislative Administration.

HB 591, introduced by Z. Brown, referred to Finance and Claims.

HB 595, introduced by D. Skees, referred to Judiciary.

HB 599, introduced by D. Skees, F. Anderson, N. Ballance, D. Bartel, B. Beard, S. Berglee, R. Brodehl, B. Brown, T. Burnett, R. Cook, M. Cuffe, G. Custer, A. Doane, R. Ehli, J. Essmann, R. Fitzgerald, K. Flynn, W. Galt, F. Garner, C. Glimm, E. Greef, B. Grubbs, S. Gunderson, B. Hamlett, B. Harris, A. Hertz, G. Hertz, K. Holmlund, M. Hopkins, D. Jones, J. Keane, J. Knokey, A. Knudsen, C. Knudsen, S. Lavin, D. Lenz, D. Loge, T. Manzella, W. McKamey, D. Mortensen, J. O'Hara, J. Patelis, A. Redfield, V. Ricci, A. Rosendale, W. Sales, R. Shaw, L. Sheldon-Galloway, S. Staffanson, J. Trebas, B. Tschida, B. Usher, S. Vinton, K. Wagoner, P. Webb, T. Welch, K. White, D. Zolnikov, referred to State Administration.

HB 600, introduced by F. Garner, B. Bennett, R. Cook, S. Lavin, M. MacDonald, D. Sands, N. Swandal, referred to Judiciary.

HB 602, introduced by B. Smith, Bennett, Fern, Hamilton, Peppers, Rosendale, Stewart-Peregoy, and Woods, referred to Taxation.

SENATE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2017

HB 604, introduced by B. Harris, F. Anderson, D. Bartel, B. Bennett, M. Blasdel, R. Brodehl, Z. Brown, J. Essmann, S. Fitzpatrick, M. Funk, F. Garner, M. Hopkins, T. Jacobson, J. Karjala, K. Kelker, J. Knokey, S. Lavin, D. Lenz, K. McCarthy, N. McConnell, D. Mortensen, J. Patelis, G. Pierson, J. Price, V. Ricci, A. Rosendale, W. Sales, R. Shaw, L. Sheldon-Galloway, D. Skees, J. Small, S. Stewart-Peregoy, N. Swandal, B. Usher, S. Vinton, K. Wagoner, P. Webb, T. Welch, K. White, referred to Energy and Telecommunications.

HB 614, introduced by R. Cook, F. Anderson, D. Bartel, M. Blasdel, R. Brodehl, S. Fitzpatrick, W. Galt, G. Hertz, D. Jones, D. Kary, J. Patelis, R. Shaw, K. White, referred to Agriculture, Livestock and Irrigation.

HB 617, introduced by A. Olsen, R. Ehli, J. Fleming, B. Harris, J. Karjala, S. Malek, D. Salomon, referred to Public Health, Welfare and Safety.

HB 618, introduced by N. Ballance, referred to Public Health, Welfare and Safety.

HB 622, introduced by M. Cuffe, B. Keenan, M. Noland, A. Olszewski, referred to Natural Resources.

HB 626, introduced by R. Shaw, A. Knudsen, S. Sales, referred to State Administration.

HB 631, introduced by Z. Brown, A. Redfield, W. Sales, referred to Education and Cultural Resources.

HB 633, introduced by J. Essmann, referred to Energy and Telecommunications.

HB 644, introduced by W. Curdy, referred to Natural Resources.

HB 647, introduced by D. Jones, referred to Finance and Claims.

HB 648, introduced by C. Glimm, referred to Finance and Claims.

HB 652, introduced by R. Cook, referred to Finance and Claims.

HB 653, introduced by M. Regier, referred to Business, Labor, and Economic Affairs.

HB 660, introduced by J. Eck, referred to Business, Labor, and Economic Affairs.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Thomas moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Blasdel in the chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 2 - Senator L. Jones moved **HB 2** be concurred in. Senator Jones made opening comments, gave an overview of the bill, and explained the process for presentation of **HB 2**. Senate majority and minority vice-chairs will each make comments as each section is heard.

Senator Lang excused at this time.

Global Amendments

HB 2 - Senator Jones moved **HB 2**, second reading copy, be amended with **amendment O001**

SENATE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2017

as follows:

1. Page A-2, line 3: Consumer Counsel.

Strike: "1,481,008" [State Special Fund FY 18]

Insert: "1,480,938" [State Special Fund FY 18]

2. Page A-8, line 10: Department of Commerce.

Strike: "1,895,260 1,892,503" [State Special Fund FY 18 FY 19]

Insert: "1,894,544 1,891,919" [State Special Fund FY 18 FY1 9]

Strike: "798,603 798,555" [Federal Special Fund FY 18 FY 19]

Insert: "798,583 798,539" [Federal Special Fund FY 18 FY 19]

3. Page A-12, line 4: Department of Military Affairs.

Strike: "707,356 709,539" [State Special Fund FY 18 FY 19]

Insert: "707,348 709,532" [State Special Fund FY 18 FY 19]

4. Page C-1, line 14: Department of Fish, Wildlife & Parks.

Strike: "2,428,196" [Federal Special Fund FY 19]

Insert: "2,428,157" [Federal Special Fund FY 19]

5. Page C-4, line 27: Department of Transportation.

Strike: "60,632,584" [State Special Fund FY 19]

Insert: "60,635,584" [State Special Fund FY 19]

6. Page C-5, line 16: Department of Transportation.

Strike: "25,634,524" [Federal Special Fund FY 18]

Insert: "25,580,524" [Federal Special Fund FY 18]

7. Page C-8, line 11: Department of Natural Resources & Conservation.

Following: "Liaison"

Insert: "(OTO)"

8. Page E-6, line 27: Commissioner of Higher Education.

Strike: "12,825,234 12,855,776" [General Fund FY18 FY19]

Insert: "12,805,074 12,885,883" [General Fund FY18 FY19]

Amendment **adopted** as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Whitford, Wolken, Mr.President.

Total 45

SENATE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2017

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Fielder, Gross, Lang, Swandal, Welborn.

Total 5

SECTION A. Local Government

Senator Moore acknowledged and thanked fellow committee members and staff then reviewed the budgets of agencies in Section A: Legislative Branch, Consumer Counsel, Governor's Office, Secretary of State, Commissioner of Political Practices, State Auditor's Office, Department of Revenue, Department of Administration, Department of Commerce, Department of Labor and Industry, and Department of Military Affairs.

Senator McNally also thanked fellow committee members and staff, and provided comments.

Senator Lang present at this time.

HB 2 - Senator Lang moved **HB 2**, second reading copy, be amended with **amendment A002** as follows:

1. Page A-10, line 1: Department of Labor & Industry.

Strike: "12,069,834 12,072,865" [State Special Fund FY18 FY19]

Insert: "11,185,700 11,188,764" [State Special Fund FY18 FY19]

Following: line 1

Insert: "a. HELP Act Workforce Development (Restricted)"

Insert: "884,134 884,101" [State Special Fund FY18 FY19]

2. Page A-10: Department of Labor & Industry.

Following: line 21

Insert: "HELP Act Workforce Development is restricted to workforce activities as passed in the Health and Economic Livelihood Partnership (HELP) Act by the 2015 legislature."

Amendment **adopted** as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Whitford, Wolken, Mr.President.

Total 46

SENATE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2017

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Fielder, Gross, Swandal, Welborn.

Total 4

HB 2 - Senator McNally moved **HB 2**, second reading copy, be amended with **amendment A003** as follows:

1. Page A-10, line 1: Department of Labor & Industry.

Strike: "12,072,865" [State Special Fund FY19]

Insert: "12,184,609" [State Special Fund FY19]

Amendment **not adopted** as follows:

Yeas: Barrett, Boland, Caferro, Cohenour, Facey, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Sands, Sesso, Small, Smith F, Vuckovich, Whitford, Wolken.

Total 18

Nays: Ankney, Blasdel, Brown, Buttrey, Connell, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Smith C, Tempel, Thomas, Vance, Vincent, Webb, Mr.President.

Total 28

Absent or not voting: None.

Total 0

Excused: Fielder, Gross, Swandal, Welborn.

Total 4

HB 2 - Senator Osmundson moved **HB 2**, second reading copy, be amended with **amendment A004** as follows:

1. Page A-7:Department of Administration.

Following: line 1

Insert: "c. ISP Contract Restriction Implementation (Restricted/Biennial/OTO)"

Insert: "7,500 7,500" [General Fund FY 18 FY 19]

2. Page A-8:Department of Administration.

Following: line 2

Insert: "ISP Contract Restriction Implementation is contingent on passage and approval of SB 95 containing a provision prohibiting a telecommunications or internet service provider

SENATE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2017

from collecting a customer's personal information without the customer's consent."

Amendment **adopted** as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Whitford, Wolken, Mr.President.

Total 46

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Fielder, Gross, Swandal, Welborn.

Total 4

HB 2 - Senator Lang moved **HB 2**, second reading copy, be amended with **amendment A005** as follows:

1. Page A-9, line 4: Department of Commerce.

Strike: "1,317,993 1,323,204" [State Special Fund FY18 FY19]

Insert: "926,451 930,211" [State Special Fund FY18 FY19]

Following: line 12

Insert: "e. Quality Schools (Restricted/OTO)"

Insert: "100,000 100,000" [State Special Fund FY18 FY19]

2. Page A-9: Department of Commerce.

Following: line 23

Insert: "If SB 307 is passed and approved and neither SB 367 nor HB 645 are passed and approved with funds for quality schools facility program grants, Quality Schools is void."

Amendment **adopted** as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Connell, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Tempel, Thomas, Vance, Vincent, Webb, Mr.President.

Total 29

Nays: Barrett, Boland, Caferro, Cohenour, Facey, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Whitford, Wolken.

Total 17

SENATE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2017

Absent or not voting: None.

Total 0

Excused: Fielder, Gross, Swandal, Welborn.

Total 4

HB 2 - Senator Salomon moved **HB 2**, second reading copy, be amended with **amendment A006** as follows:

1. Page A-8: Department of Commerce.

Following: line 16

Insert: "d. Montana Food and Agriculture Development (Restricted)"

Insert: "105,000 105,000" [State Special Fund FY 18 FY 19]

Renumber: subsequent subsections

Amendment **adopted** as follows:

Yeas: Ankney, Barrett, Boland, Buttrey, Caferro, Cohenour, Connell, Facey, Hoven, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith F, Vuckovich, Whitford, Wolken.

Total 25

Nays: Blasdel, Brown, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Smith C, Tempel, Thomas, Vance, Vincent, Webb, Mr.President.

Total 21

Absent or not voting: None.

Total 0

Excused: Fielder, Gross, Swandal, Welborn.

Total 4

Senator Moore moved to **close Section A**. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Whitford, Wolken, Mr.President.

Total 46

Nays: None.

Total 0

SENATE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2017

Absent or not voting: None.

Total 0

Excused: Fielder, Gross, Swandal, Welborn.

Total 4

Majority Leader Thomas moved the Senate recess to prepare for Section B. Without objection, so ordered. The Senate recessed at 9:50 a.m. and reconvened at 10:25 a.m., Senator Blasdel in the chair.

Senator Swandal present at this time.

SECTION B. Health and Human Services

Senator Keenan acknowledged and thanked fellow committee members and staff then reviewed the budget of the Department of Health and Human Services.

Senator Caferro also thanked committee members and staff, members of the public who provided input, and provided comments.

HB 2 - Senator Keenan moved **HB 2**, second reading copy, be amended with **amendment B017** as follows:

1. Page B-4: Department of Public Health and Human Services.

Following: line 1

Insert: "The department is appropriated an additional \$450,000 of state special revenue authority each year of the biennium contingent upon the recovery of an amount greater than \$450,000 each year as a result of audits identifying fraud, waste, and abuse and documented recovery of those funds."

Amendment **adopted** as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Connell, Fitzpatrick, Gauthier, Hinkle, Hoven, Howard, Jones, Kary, Moore, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Swandal, Thomas, Vance, Webb, Mr.President.

Total 24

Nays: Barrett, Boland, Caferro, Cohenour, Facey, Hinebauch, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Olszewski, Phillips, Pomnichowski, Sands, Sesso, Smith F, Tempel, Vincent, Vuckovich, Whitford, Wolken.

Total 23

Absent or not voting: None.

Total 0

SENATE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2017

Excused: Fielder, Gross, Welborn.

Total 3

HB 2 - Senator Keenan moved **HB 2**, second reading copy, be amended with **amendment B004** as follows:

1. Page B-1: Department of Public Health and Human Services.

Following: line 21

Insert: "a. Boulder Development Fund" [General Fund FY18]

Insert: "500,000" [General Fund FY18]

Amendment **not adopted** as follows:

Yeas: Ankney, Barrett, Boland, Caferro, Cohenour, Connell, Facey, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Salomon, Sands, Sesso, Small, Smith F, Vuckovich, Whitford, Wolken.

Total 23

Nays: Blasdel, Brown, Buttrey, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Moore, Olszewski, Osmundson, Regier, Richmond, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Mr.President.

Total 24

Absent or not voting: None.

Total 0

Excused: Fielder, Gross, Welborn.

Total 3

HB 2 - Senator Keenan moved **HB 2**, second reading copy, be amended with **amendment B023** as follows:

1. Page B-2, line 21: Department of Public Health and Human Services.

Strike: " 159,687,397 167,700,582" [General Fund FY 18 FY 19]

Insert: " 159,437,397 167,450,582"[General Fund FY 18 FY 19]

Amendment **adopted** as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Whitford, Wolken, Mr.President.

Total 47

SENATE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2017

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Fielder, Gross, Welborn.

Total 3

HB 2 - Senator Sands moved **HB 2**, second reading copy, be amended with **amendment B016** as follows:

1. Page B-2, line 21: Department of Public Health and Human Services.

Strike: " 72,070,824 71,724,801"[State Special Fund FY 18 FY 19]

Insert: " 72,073,696 71,733,315"[State Special Fund FY 18 FY 19]

Amendment **adopted** as follows:

Yeas: Ankney, Barrett, Boland, Brown, Caferro, Cohenour, Connell, Facey, Fitzpatrick, Gauthier, Hoven, Jones, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Swandal, Tempel, Thomas, Vuckovich, Webb, Whitford, Wolken.

Total 35

Nays: Blasdel, Buttrey, Hinebauch, Hinkle, Howard, Kary, Osmundson, Regier, Smith C, Vance, Vincent, Mr.President.

Total 12

Absent or not voting: None.

Total 0

Excused: Fielder, Gross, Welborn.

Total 3

HB 2 - Senator R. Webb moved **HB 2**, second reading copy, be amended **with amendment B020** as follows:

1. Page B-1, line 18: Department of Public Health and Human Services.

Strike: "2,785,092 2,790,333" [State Special Fund FY18 FY19]

Insert: "3,035,092 3,040,333" [State Special Fund FY18 FY19]

Amendment **not adopted** as follows:

Yeas: Caferro, Hoven, Keenan, McNally, Olszewski, Pomnichowski, Richmond, Sands, Webb, Whitford, Wolken.

SENATE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2017

Total 11

Nays: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Cohenour, Connell, Facey, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Howard, Jones, Kary, Lang, MacDonald, Malek, McClafferty, Moore, Osmundson, Phillips, Regier, Salomon, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Mr.President.

Total 36

Absent or not voting: None.

Total 0

Excused: Fielder, Gross, Welborn.

Total 3

HB 2 - Senator Facey moved **HB 2**, second reading copy, be amended with **amendment B022** as follows:

1. Page B-1, line 8: Department of Public Health and Human Services.

Strike: "291,270,947 291,313,435 " [Federal Special Fund FY18 FY19]

Insert: "291,330,947 291,373,435" [Federal Special Fund FY18 FY19]

Amendment **not adopted** as follows:

Yeas: Barrett, Boland, Caferro, Cohenour, Connell, Facey, Hoven, Keenan, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Sands, Sesso, Small, Smith F, Vuckovich, Whitford, Wolken.

Total 21

Nays: Ankney, Blasdel, Brown, Buttrey, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Howard, Jones, Kary, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Mr.President.

Total 26

Absent or not voting: None.

Total 0

Excused: Fielder, Gross, Welborn.

Total 3

HB 2 - Senator McNally moved **HB 2**, second reading copy, be amended with **amendment B015** as follows:

1. Page B-3, line 5: Department of Public Health and Human Services.

Strike: "32,183,387 32,225,325"[State Special Fund FY 18 FY 19]

Insert: "32,588,387 32,630,325"[State Special Fund FY 18 FY 19]

SENATE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2017

Amendment **not adopted** as follows:

Yeas: Barrett, Boland, Caferro, Cohenour, Facey, Hoven, MacDonald, Malek, McClafferty, McNally, Olszewski, Phillips, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Whitford, Wolken.

Total 19

Nays: Ankney, Blasdel, Brown, Buttrey, Connell, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Howard, Jones, Kary, Keenan, Lang, Moore, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Mr.President.

Total 28

Absent or not voting: None.

Total 0

Excused: Fielder, Gross, Welborn.

Total 3

HB 2 - Senator Sands moved **HB 2**, second reading copy, be amended with **amendment B014** as follows:

1. Page B-3, line 5: Department of Public Health and Human Services.

Strike: "74,698,602 76,564,947" [General Fund FY 18 FY 19]

Insert: "75,448,602 77,314,947" [General Fund FY 18 FY 19]

Amendment **not adopted** as follows:

Yeas: Barrett, Boland, Caferro, Cohenour, Facey, Hoven, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Sands, Sesso, Small, Smith F, Swandal, Tempel, Vuckovich, Webb, Whitford, Wolken.

Total 22

Nays: Ankney, Blasdel, Brown, Buttrey, Connell, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Smith C, Thomas, Vance, Vincent, Mr.President.

Total 25

Absent or not voting: None.

Total 0

Excused: Fielder, Gross, Welborn.

Total 3

HB 2 - Senator Cohenour moved **HB 2**, second reading copy, be amended with **amendment B009** as follows:

SENATE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2017

1. Page B-3, line 5: Department of Public Health and Human Services.

Strike: "74,698,602 76,564,947" [General Fund FY18 FY19]

Insert: "74,818,602 76,684,947" [General Fund FY18 FY19]

Amendment **not adopted** as follows:

Yeas: Barrett, Boland, Caferro, Cohenour, Facey, MacDonald, Malek, McClafferty, McNally, Moore, Phillips, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Whitford, Wolken.

Total 18

Nays: Ankney, Blasdel, Brown, Buttrey, Connell, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Mr.President.

Total 29

Absent or not voting: None.

Total 0

Excused: Fielder, Gross, Welborn.

Total 3

HB 2 - Senator Caferro moved **HB 2**, second reading copy, be amended with **amendment B011** as follows:

1. Page B-1, line 11: Department of Public Health and Human Services.

Strike: "42,316,476 42,359,893" [General Fund FY18 FY19]

Insert: "42,632,420 42,675,837" [General Fund FY18 FY19]

Strike: "30,992,388 31,014,594" [Federal Special Fund FY18 FY19]

Insert: "31,124,528 31,146,734" [Federal Special Fund FY18 FY19]

Amendment **not adopted** as follows:

Yeas: Barrett, Boland, Caferro, Cohenour, Facey, Gauthier, Hoven, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Whitford, Wolken.

Total 19

Nays: Ankney, Blasdel, Brown, Buttrey, Connell, Fitzpatrick, Hinebauch, Hinkle, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Mr.President.

Total 28

Absent or not voting: None.

Total 0

SENATE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2017

Excused: Fielder, Gross, Welborn.

Total 3

HB 2 - Senator Caferro moved **HB 2**, second reading copy, be amended with **amendment B010** as follows:

1. Page B-1, line 11: Department of Public Health and Human Services.

Strike: "42,316,476 42,359,893" [General Fund FY18 FY19]

Insert: "42,653,639 42,697,901" [General Fund FY18 FY19]

Strike: "30,992,388 31,014,594" [Federal Special Fund FY18 FY19]

Insert: "31,146,662 31,169,256" [Federal Special Fund FY18 FY19]

Amendment **not adopted** as follows:

Yeas: Barrett, Boland, Caferro, Cohenour, Facey, Gauthier, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Sands, Sesso, Small, Smith F, Vuckovich, Whitford, Wolken.
Total 19

Nays: Ankney, Blasdel, Brown, Buttrey, Connell, Fitzpatrick, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Mr.President.
Total 28

Absent or not voting: None.

Total 0

Excused: Fielder, Gross, Welborn.

Total 3

HB 2 - Senator Boland moved **HB 2**, second reading copy, be amended with **amendment B007** as follows:

1. Page B-1, line 11: Department of Public Health and Human Services.

Strike: "42,316,476 42,359,893" [General Fund FY18 FY19]

Insert: "43,411,476 43,454,893" [General Fund FY18 FY19]

Strike: "30,992,388 31,014,594" [Federal Special Fund FY18 FY19]

Insert: "31,192,388 31,214,594" [Federal Special Fund FY18 FY19]

Amendment **not adopted** as follows:

Yeas: Barrett, Boland, Caferro, Cohenour, Facey, Gauthier, Hoven, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Sands, Sesso, Small, Smith F, Vuckovich, Whitford, Wolken.

Total 20

SENATE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2017

Nays: Ankney, Blasdel, Brown, Buttrey, Connell, Fitzpatrick, Hinebauch, Hinkle, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Mr.President.

Total 27

Absent or not voting: None.

Total 0

Excused: Fielder, Gross, Welborn.

Total 3

Senator Fielder present at this time.

HB 2 - Senator Boland moved **HB 2**, second reading copy, be amended with **amendment B006** as follows:

1. Page B-1, line 11: Department of Public Health and Human Services.

Strike: "42,316,476 42,359,893" [General Fund FY18 FY19]

Insert: "42,863,976 42,907,393" [General Fund FY18 FY19]

Strike: "30,992,388 31,014,594" [Federal Special Fund FY18 FY19]

Insert: "31,092,388 31,114,594" [Federal Special Fund FY18 FY19]

Amendment **not adopted** as follows:

Yeas: Barrett, Boland, Caferro, Cohenour, Facey, Gauthier, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Whitford, Wolken.

Total 18

Nays: Ankney, Blasdel, Brown, Buttrey, Connell, Fielder, Fitzpatrick, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Mr.President.

Total 30

Absent or not voting: None.

Total 0

Excused: Gross, Welborn.

Total 2

HB 2 - Senator Caferro moved **HB 2**, second reading copy, be amended with **amendment B024** as follows:

1. Page B-2, line 14: Department of Public Health and Human Services.

Strike: "76,614,646 79,662,794" [General Fund FY18 FY19]

Insert: "77,671,630 82,851,859" [General Fund FY18 FY19]

SENATE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2017

Strike: "204,938,536 207,922,711" [Federal Special Fund FY18 FY19]

Insert: "206,938,627 213,945,271" [Federal Special Fund FY18 FY19]

2. Page B-3, line 5: Department of Public Health and Human Services.

Strike: "74,698,602 76,564,947" [General Fund FY18 FY19]

Insert: "75,749,179 78,865,904" [General Fund FY18 FY19]

Strike: "195,288,199 198,930,210" [Federal Special Fund FY18 FY19]

Insert: "196,870,481 203,694,344" [Federal Special Fund FY18 FY19]

Amendment **not adopted** as follows:

Yeas: Barrett, Boland, Caferro, Cohenour, Facey, Gauthier, Hoven, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Whitford, Wolken.

Total 19

Nays: Ankney, Blasdel, Brown, Buttrey, Connell, Fielder, Fitzpatrick, Hinebauch, Hinkle, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Mr.President.

Total 29

Absent or not voting: None.

Total 0

Excused: Gross, Welborn.

Total 2

HB 2 - Senator Moore moved **HB 2**, second reading copy, be amended with **amendment B003** as follows:

1. Page B-3, line 8: Department of Public Health and Human Services.

Strike: "19,608,208 19,595,736"[State Special Fund FY 18 FY 19]

Insert: "19,108,208 19,095,736"[State Special Fund FY 18 FY 19]

2. Page B-1: Department of Public Health and Human Services.

Following: line 21

Insert: "a. Suicide Prevention (Restricted/Biennial)"

Insert: "500,000 500,000"[State Special Fund FY 18 FY 19]

Amendment **adopted** as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal,

SENATE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2017

Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Whitford, Wolken, Mr.President.
Total 48

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Gross, Welborn.
Total 2

Senator Keenan moved to **close Section B**. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, McNally, Moore, Olszewski, Osmundson, Phillips, Regier, Richmond, Salomon, Sesso, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Wolken, Mr.President.
Total 39

Nays: Cohenour, MacDonald, Malek, McClafferty, Pomnichowski, Sands, Smith F, Vuckovich, Whitford.
Total 9

Absent or not voting: None.
Total 0

Excused: Gross, Welborn.
Total 2

Majority Leader Thomas moved the committee recess until 1:00 p.m. Without objection, so ordered. Senate recessed at 12:05 p.m. and reconvened at 1:00 p.m., Senator Blasdel in the chair.

Senator Welborn present at this time.

Section C. Natural Resources and Transportation

Senator Ankney acknowledged and thanked fellow committee members and staff then reviewed the budgets of agencies in Section C: Fish, Wildlife and Parks, Department of Environmental Quality, Department of Transportation, Department of Livestock, Department of Natural Resources and Conservation, and Department of Agriculture.

Senator Phillips also thanked fellow committee members and staff, and provided comments.

SENATE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2017

HB 2 - Senator Ankney moved **HB 2**, second reading copy, be amended with **amendment C005** as follows:

1. Page C-1, line 17: Department of Fish, Wildlife & Parks.

Strike: "14,533,959 14,555,843" [State Special Fund FY18 & FY19]

Insert: "14,473,852 14,615,908" [State Special Fund FY18 & FY19]

2. Page C-1, line 26: Department of Fish, Wildlife & Parks.

Strike: "183,931 184,684" [Federal Special Fund FY18 & FY19]

Insert: "171,219 171,983" [Federal Special Fund FY18 & FY19]

3. Page C-2, line 6: Department of Fish, Wildlife & Parks.

Strike: "13,291,128 13,330,532" [State Special Fund FY18 & FY19]

Insert: "13,215,267 13,254,721" [State Special Fund FY18 & FY19]

4. Page C-2, line 11: Department of Fish, Wildlife & Parks.

Strike: "7,777,553 7,806,392" [State Special Fund FY18 & FY19]

Insert: "7,793,636 7,814,998" [State Special Fund FY18 & FY19]

Strike: "270,276 273,150" [Federal Special Fund FY18 & FY19]

Insert: "243,026 243,427" [Federal Special Fund FY18 & FY19]

Amendment **adopted** as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr. President.
Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Gross.

Total 1

HB 2 - Senator Phillips moved **HB 2**, second reading copy, be amended with **amendment C007** as follows:

SENATE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2017

1. Page C-1, line 14: Department of Fish, Wildlife & Parks.

Strike: "9,264,140 9,298,188" [State Special Fund FY18 & FY 19]

Insert: "10,866,755 10,905,537" [State Special Fund FY18 & FY 19]

Strike: "2,420,543 2,428,196" [Federal Special Fund FY18 & FY 19]

Insert: "817,928 920,847" [Federal Special Fund FY18 & FY 19]

Amendment **not adopted** as follows:

Yeas: Barrett, Boland, Caferro, Cohenour, Facey, Hoven, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Whitford, Wolken.
Total 18

Nays: Ankney, Blasdel, Brown, Buttrey, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Welborn, Mr.President.
Total 31

Absent or not voting: None.
Total 0

Excused: Gross.
Total 1

HB 2 - Senator Phillips moved **HB 2**, second reading copy, be amended with **amendment C001** as follows:

1. Page C-2: Department of Fish, Wildlife & Parks.

Strike: line 19 through line 21

Amendment **not adopted** as follows:

Yeas: Barrett, Boland, Caferro, Cohenour, Facey, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Whitford, Wolken.
Total 17

Nays: Ankney, Blasdel, Brown, Buttrey, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Welborn, Mr.President.
Total 32

Absent or not voting: None.
Total 0

SENATE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2017

Excused: Gross.

Total 1

HB 2 - Senator Phillips moved **HB 2**, second reading copy, be amended with **amendment C008** as follows:

1. Page C-2, line 19: Department of Fish, Wildlife & Parks.

Strike: "and Communication and Education Divisions"

Insert: "Division"

Amendment **not adopted** as follows:

Yeas: Barrett, Boland, Caferro, Cohenour, Facey, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Whitford, Wolken.

Total 17

Nays: Ankney, Blasdel, Brown, Buttrey, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Welborn, Mr.President.

Total 32

Absent or not voting: None.

Total 0

Excused: Gross.

Total 1

HB 2 - Senator Phillips moved **HB 2**, second reading copy, be amended with **amendment C002** as follows:

1. Page C-5, line 16: Department of Transportation.

Strike: "10,282,489" [State Special Fund FY 18]

Insert: "8,282,489" [State Special Fund FY 18]

2. Page C-5, line 23 through line 24: Department of Transportation.

Strike: line 23 through line 24 in their entirety

Amendment **not adopted** as follows:

Yeas: Barrett, Boland, Caferro, Cohenour, Facey, Lang, MacDonald, McClafferty, McNally, Phillips, Pomnichowski, Salomon, Smith F, Vincent, Vuckovich, Wolken, Mr.President.

Total 17

Nays: Ankney, Blasdel, Brown, Buttrey, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch,

SENATE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2017

Hinkle, Hoven, Howard, Jones, Kary, Keenan, Malek, Moore, Olszewski, Osmundson, Regier, Richmond, Sands, Sesso, Small, Smith C, Swandal, Tempel, Thomas, Vance, Webb, Welborn, Whitford.

Total 32

Absent or not voting: None.

Total 0

Excused: Gross.

Total 1

HB 2 - Senator Phillips moved **HB 2**, second reading copy, be amended with **amendment C009** as follows:

1. Page C-7, line 14: Department of Natural Resources & Conservation.

Strike: "1,616,402 1,619,903" [General Fund FY18 & FY 19]

Insert: "1,716,402 1,719,903" [General Fund FY18 & FY 19]

Amendment **not adopted** as follows:

Yeas: Barrett, Boland, Caferro, Cohenour, Facey, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Swandal, Tempel, Vuckovich, Whitford, Wolken.

Total 19

Nays: Ankney, Blasdel, Brown, Buttrey, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Thomas, Vance, Vincent, Webb, Welborn, Mr.President.

Total 30

Absent or not voting: None.

Total 0

Excused: Gross.

Total 1

HB 2 - Senator Phillips moved **HB 2**, second reading copy, be amended with **amendment C006** as follows:

1. Page C-2: Department of Fish, Wildlife & Parks.

Following: line 3

Insert: "a. Public Lands Communication and Education Initiative (Biennial) 50,000 50,000"
[General Fund FY18 & FY19]

SENATE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2017

Senator Fielder disclosed she is a volunteer for a national organization concerned with federal public lands.

Amendment **not adopted** as follows:

Yeas: Barrett, Boland, Caferro, Cohenour, Facey, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Whitford, Wolken.
Total 17

Nays: Ankney, Blasdel, Brown, Buttrey, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Welborn, Mr.President.
Total 32

Absent or not voting: None.
Total 0

Excused: Gross.
Total 1

HB 2 - Senator Moore moved **HB 2**, second reading copy, be amended with **amendment C010** as follows:

1. Page C-4, line 17: Department of Environmental Quality.

Following: "SPECIAL AUTHORITY"

Strike: "IF REVENUE IS AVAILABLE"

Following: " . "

Insert: "This authority may be used only if revenue collected by the department for a single permit exceeds \$250,000 or revenue collected by the department for permits issued pursuant to the same permitting authority exceeds \$250,000 within a single 6-month period. The amount of authority to be used is the same as the amount collected."

Amendment **adopted** as follows:

Yeas: Ankney, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.
Total 46

Nays: Barrett, MacDonald, Smith F.
Total 3

SENATE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2017

Absent or not voting: None.

Total 0

Excused: Gross.

Total 1

Senator Brown requested a brief recess to deal with an erroneous amendment. Senate recessed at 1:48 and reconvened at 1:57.

HB 2 - Senator D. Brown moved **HB 2**, second reading copy, be amended with **amendment C013** as follows:

1. Page C-5, line 5: Department of Transportation.

Strike: "125,470,807 126,383,566" [State Special Fund FY18 FY19]

Insert: "125,189,508 126,102,179" [State Special Fund FY18 FY 19]

Amendment **adopted** as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Welborn, Whitford, Wolken, Mr.President.

Total 47

Nays: Smith F, Vuckovich.

Total 2

Absent or not voting: None.

Total 0

Excused: Gross.

Total 1

Senator Ankney moved to **close Section C**. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.

Total 47

Nays: Pomnichowski, Smith F.

Total 2

SENATE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2017

Absent or not voting: None.

Total 0

Excused: Gross.

Total 1

Senate recessed at 2:03 p.m. to prepare for Section D. Senate reconvened at 2:20 p.m., Senator Blasdel in the chair.

SECTION D. Judicial Branch, Law Enforcement and Justice

Senator Osmundson acknowledged and thanked fellow committee members and staff then reviewed the budgets of agencies in Section D: Judicial Branch, Department of Justice, Public Service Commission, Office of Public Defender, and Department of Corrections.

Senator Wolken also thanked fellow committee members and staff, and provided comments.

HB 2 - Senator Osmundson moved **HB 2**, second reading copy, be amended with **amendment D003** as follows:

1. Page D-1: Judiciary.

Following: line 13

Insert: "e. Sentencing Commission and Senate Bill 59 (Biennial/OTO)"

Insert: "780,000 780,000" [General Fund FY18 FY19]

2. Page D-2:.

Following: line 6

Insert: "Funding for the Sentencing Commission and Senate Bill 59 in the amount of \$780,000 general fund each year of the biennium is contingent upon the passage and approval of Senate Bill No. 59 and House Bill No. 650."

3. Page D-2.

Strike: line 12 and line 13

Following: line 13

4. Page D-2.

Strike: line 23 and line 24

5. Page D-2, line 26: Crime Control Division.

Following: "65"

Insert: "and House Bill No. 650."

SENATE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2017

Amendment **adopted** as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Gross.
Total 1

Senator Osmundson moved to **close Section D**. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Gross.
Total 1

Senate recessed at 2:30 p.m. to prepare for Section E. Senate reconvened at 2:40 p.m., Senator Blasdel in the chair.

SECTION E. Education

Senator Jones acknowledged and thanked fellow committee members and staff then reviewed the budgets of agencies in Section E: Office of Public Instruction, Board of Education, Montana School for the Deaf and Blind, Montana Arts Council, Montana State Library, Montana Historical

SENATE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2017

Society, the University System, and the Commissioner of Higher Education.

Senator Whitford also thanked fellow committee members and staff, and provided comments.

Senate recessed at 2:55 p.m. for committee hearings. Senate reconvened at 3:50 p.m., Senator Blasdel in the chair.

Senator Olszewski absent at this time.

HB 2 - Senator McClafferty moved **HB 2**, second reading copy, be amended with **amendment E002** as follows:

1. Page E-2: Office of Public Instruction.

Following: line 20

Insert: "p. Montana Preschool Grant Program (Restricted/Biennial)"

Insert: "6,000,000 6,000,000" [General Fund FY18 FY19]

Amendment **not adopted** as follows:

Yeas: Barrett, Boland, Caferro, Cohenour, Facey, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Whitford, Wolken.

Total 17

Nays: Ankney, Blasdel, Brown, Buttrey, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Moore, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Welborn, Mr.President.

Total 31

Absent or not voting: None.

Total 0

Excused: Gross, Olszewski.

Total 2

HB 2 - Senator Wolken moved **HB 2**, second reading copy, be amended with **amendment E003** as follows:

1. Page E-7: Commissioner of Higher Education.

Following: line 13

Insert: "c. Montana University System (Restricted/OTO)"

Insert: "4,000,000 4,000,000" [General Fund FY18 FY19]

Amendment **not adopted** as follows:

SENATE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2017

Yeas: Barrett, Boland, Caferro, Cohenour, Facey, Hinkle, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Salomon, Sands, Sesso, Smith F, Vuckovich, Whitford, Wolken.

Total 19

Nays: Ankney, Blasdel, Brown, Buttrey, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hoven, Howard, Jones, Kary, Keenan, Lang, Moore, Osmundson, Regier, Richmond, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Welborn, Mr.President.

Total 29

Absent or not voting: None.

Total 0

Excused: Gross, Olszewski.

Total 2

Senator Olszewski present at this time.

HB 2 - Senator Whitford moved **HB 2**, second reading copy, be amended with **amendment E004** as follows:

1. Page E-2: Office of Public Instruction.

Following: line 20

Insert: "p. Indian Language Immersion Program (Restricted/Biennial)"

Insert: "38,500 38,500" [General Fund FY18 FY19]

Amendment **not adopted** as follows:

Yeas: Ankney, Barrett, Boland, Buttrey, Caferro, Cohenour, Facey, Gross, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Sands, Sesso, Small, Smith F, Swandal, Vuckovich, Whitford, Wolken.

Total 22

Nays: Blasdel, Brown, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Smith C, Tempel, Thomas, Vance, Vincent, Webb, Welborn, Mr.President.

Total 28

Paired: Gross, Aye; Osmundson, No.

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SENATE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2017

Senator Jones moved to **close Section E**. Motion carried as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Caferro, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Phillips, Regier, Richmond, Salomon, Sesso, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Welborn, Mr.President.
Total 35

Nays: Barrett, Boland, Cohenour, Facey, MacDonald, Malek, McClafferty, McNally, Pomnichowski, Sands, Smith F, Vuckovich, Whitford, Wolken.
Total 14

Absent or not voting: None.
Total 0

Excused: Gross.
Total 1

Section C. Natural Resources and Transportation

Senator Ankney moved to **reopen Section C** for the purpose of a technical amendment. Without objection, so ordered.

HB 2 - Senator Ankney moved **HB 2**, second reading copy, be amended with **amendment C014** as follows:

1. Page C-1, line 17: Department of Fish, Wildlife & Parks.
Strike: "14,555,843" [State Special Fund FY19]
Insert: "14,435,713" [State Special Fund FY19]

Amendment **adopted** as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.
Total 49

Nays: None.
Total 0

Absent or not voting: None.
Total 0

SENATE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2017

Excused: Gross.

Total 1

Senator Ankney moved to **close Section C**. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.
Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Gross.

Total 1

SECTION D. Judicial Branch, Law Enforcement and Justice

Senator Osmundson moved to **reopen Section D** for the purpose of a technical amendment. Without objection, so ordered.

HB 2 - Senator Osmundson moved **HB 2**, second reading copy, be amended with **amendment D006** as follows:

1. Page D-2: Crime Control Division.

Strike: line 14

Insert: "Sentencing Commission and Senate Bill 65 (Biennial/OTO)"

Amendment **adopted** as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.
Total 49

Nays: None.

Total 0

SENATE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2017

Absent or not voting: None.

Total 0

Excused: Gross.

Total 1

Senator Osmundson moved to **close Section D**. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.
Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Gross.

Total 1

Senate recessed at 4:35 p.m. and reconvened at 4:53 p.m. Senator Blasdel in the chair.

HB 2 - Bill, as amended, concurred in as follows::

Yeas: Ankney, Blasdel, Boland, Brown, Buttrey, Connell, Facey, Fitzpatrick, Gauthier, Hoven, Howard, Jones, Kary, Lang, McNally, Moore, Olszewski, Osmundson, Phillips, Regier, Richmond, Salomon, Sesso, Small, Swandal, Tempel, Thomas, Welborn, Whitford.
Total 29

Nays: Barrett, Caferro, Cohenour, Fielder, Hinebauch, Hinkle, Keenan, MacDonald, Malek, McClafferty, Pomnichowski, Sands, Smith C, Smith F, Vance, Vincent, Vuckovich, Webb, Wolken, Mr.President.
Total 20

Absent or not voting: None.

Total 0

Excused: Gross.

Total 1

SENATE JOURNAL
SIXTY-NINTH LEGISLATIVE DAY - APRIL 3, 2017

Majority Leader Thomas moved the committee **rise and report**. Motion carried. Committee arose. Senate resumed. President Sales presiding.

Chair Blasdel moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Regier, Richmond, Salomon, Sesso, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Welborn, Whitford, Wolken, Mr.President.

Total 42

Nays: Caferro, Cohenour, Keenan, Pomnichowski, Sands, Smith F, Vuckovich.

Total 7

Absent or not voting: None.

Total 0

Excused: Gross.

Total 1

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Thomas moved the Senate adjourn until 8:00 a.m., Tuesday, April 4, 2017, the seventieth legislative day. Motion carried.

Senate adjourned at 5:13 p.m.

MARILYN MILLER
Secretary of the Senate

SCOTT SALES
President of the Senate